

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**At Huntington**

**DUANE J. RUGGIER, II,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 3:13-cv-26640  
JUDGE CHAMBERS**

**WAL-MART STORES EAST, LP,  
a limited partnership,**

**Defendant.**

**AGREED ORDER MODIFYING SCHEDULING ORDER**

On this day came the Plaintiff and moved the Court for an extension of time to file his response to the Defendant's Motion for Summary Judgment. The Plaintiff proposes extending the deadline from Friday September 12, 2014, to Wednesday September 17, 2014. The Plaintiff also proposes extending the Defendant's deadline for filing a reply brief from September 19, 2014, to September 24, 2014. The Defendant has no objection to the requested extension of time. The Court finds good cause for the modification of the Scheduling Order.


It is ORDERED that the Scheduling Order be modified as follows:

A. The Plaintiff shall file his response to the Defendant's Motion for Summary Judgment on or before Wednesday, September 17, 2014.

B. The Defendant shall file its reply brief, if any, on or before September 24, 2014.

The Clerk is directed to transmit copies of this order to all counsel of record.

It is so ORDERED this 15<sup>th</sup> day of September, 2014.



ROBERT C. CHAMBERS, CHIEF JUDGE

Presented by:

/s/ THOMAS H. PEYTON, ESQUIRE  
West Virginia State Bar No. 8841  
PEYTON LAW FIRM, PLLC  
2801 First Avenue, P.O. Box 216  
Nitro, WV 25143  
Telephone: (304) 755-5556  
Telefax: (304) 755-1255  
*Counsel for the Plaintiff*